IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39177 of 2008
MD.RAJJAK
Versus
THE STATE OF BIHAR

For the petitioner: Mr. Surendra Kumar Singh, Advocate.
For the State : Mr. Upendra Kumar, APP.

03 22.12.2008 Heard.

Petitioner seeks bail in a case instituted under Sections 395,324,326,307,120(B) of the Penal Code.

It appears that the petitioner has been named in the First Information Report on the basis of the identification claimed by one Ashok Babu who is also a victim.

Learned counsel for the petitioner submits that petitioner has named only as Rajjak, there is no parentage given in the F.I.R. From the case diary which has been called for in this case, it appears that all efforts were made to arrest the petitioner on the basis of materials available in the case diary including the facts disclosed in the F.I.R.

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It appears the case was instituted sometimes in February, 2002, whereas the petitioner surrendered on 12.03.2008. It further appears that the police has also found sufficient material against the petitioner and submitted charge sheet.

Having regard to the materials available on record and also keeping in view the fact that the petitioner has remained absconding for nearly six years, this court, for the present, is not inclined to admit the petitioner to bail. Accordingly, his prayer for bail stands rejected.

However, petitioner is granted liberty to renew his prayer for bail after one year, if the trial of this case, in the mean while is not taken up.

Sym **(Kishore K .Mandal, J.)**

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